IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO.224 OF 2007
IN
CRIMINAL APPLICATION NO.653 OF 2006
IN
CRIMINAL BAIL APPLICATION NO.1845 OF 2006
IN
SESSIONS CASE NO. 194 OF 2006

Harish @ Harshavardhan
Ramesh Kumbhani ..Applicant

Vs.

State of Maharashtra ..Respondents

...

Mr.N.D.Deboo advocate for applicant
Mr.V.B.Konde-Deshmukh A.P.P. for the State

...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : APRIL 25, 2007

P.C.

1. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. Applicant was granted bail by this court by order dated 7.6.2006. While granting bail to the applicant, a condition was imposed on him that he will remain present on all the dates in the trial Court and will not seek any exemption. In the said order, it is further observed that if the applicant

does not remain present in the trial Court on each and every date then his bail will stand cancelled.

3. The learned advocate for the applicant states that in view of these observations if the applicant remains absent in the trial Court even on account of circumstances beyond his control, the bail granted to him will automatically stand cancelled. He has submitted that this condition may be modified. Looking to the facts and circumstances of this case, I am inclined to relax the said condition to certain extent. In case, it is not possible for the applicant to attend the trial Court, an application shall be preferred on his behalf before the trial Court for exemption from personal appearance on that date. It would be open to the trial court to grant or reject the said application.

4. Application is disposed of.

[Smt.V.K.Tahilramani, J.]